

### **REMARKS**

Claims 1-22, 28, and 29 are now pending in the application. Claims 28 and 29 were previously added in the Preliminary Amendment filed June 12, 2001 and are not amended from that form. Claims 23-27 were previously canceled by the Preliminary Amendment filed June 12, 2001.

### **EXAMINER INITIATED INTERVIEW SUMMARY**

Applicants thank the Examiner for contacting Applicants' representative on February 3, 2009. During the interview with Applicants' representative the Examiner requested that the Response mailed January 28, 2008 be supplemented to include the claims in the presently recited format. Applicants agreed, and this Supplemental Response is filed only to change the format of the claims.

### **APPLICANT'S INITIATED INTERVIEW SUMMARY**

Applicants thank the Examiner for the interview granted on December 18, 2007. During the interview Claims 28 and 29 were discussed in light of the 35 U.S.C. §112, first paragraph rejection in the Office Action mailed September 28, 2007.

### **ALLOWABLE SUBJECT MATTER**

Applicants thank the Examiner for the indication of allowable Claims 1-22.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 28 and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

Applicants' respectfully submit that new Claims 28 and 29 are clearly disclosed and enabled in U.S. Patent No. 5,592,939 (herein '939 patent). Initially, the '939 patent discloses that the location of a catheter probe can be determined based upon five unknown variables. The five unknown variables can be determined using a separation of variables technique where each of the five variables can be uniquely soled with an equation. See the '939 patent, col. 6, lines 38-49. The variables, including orientation variables and position variables, are determined by sensing a field and determining an induced voltage. Selected solutions, such as position solutions, of the variables can be assisted with access to a lookup table. See the '939 patent throughout, for example, cols. 7-12.

Independent Claim 28 recites "a method of determining the location of at least one magnetically-sensitive, electrically conductive sensing coil affixed to a medical device . . . inducing within the at least one sensing coil a set of induced signal values corresponding to a set of location parameters." Applicants respectfully submit that at least one coil can have induced therein signal values. In addition, the '939 patent discloses that more than one coil can be provided in the system. See the '939 patent, col. 15, lines 1-15. Also, filed herewith is a declaration by one skilled in the art indicating that the '939 patent clearly discloses a system that would enable one skilled in the art to use of multiple coils for determining a location. As disclosed in the '939

patent, voltages can be induced in multiple coils and that the relative location of the multiple coils would not alter the determination of the location of the coils. In other words, multiple coils could be provided on an instrument, as disclosed in the '939 patent. Therefore, Applicants respectfully submit that Claims 28 and 29 are clearly disclosed and enabled by the '939 patent.

In light of the above, and the Declaration filed herewith, Applicants respectfully submit that the '939 patent clearly discloses and enables Claims 28 and 29. Applicants further request that the Office contact Applicants' representative if each of the presently pending claims are not found to be allowable, prior to the mailing of any further office actions.

#### **CONCLUSION**

Prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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